

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION**

COMMUNITY FOUNDATION OF	)	
NORTHEAST ALABAMA,	)	
	)	
Plaintiff,	)	
	)	Case No.: 1:18-cv-00198-SGC
v.	)	
	)	
ANNISTON HMA, LLC, at al.,	)	
	)	
Defendants.	)	

**MEMORANDUM OPINION<sup>1</sup>**

Plaintiff filed a complaint pursuant to the Federal Arbitration Act (“FAA”), 9 U.S.C. § 9, against Anniston HMA, LLC, and Health Management Associates, LLC. (Doc. 1). The complaint seeks an order confirming the arbitration award and attaches the final award dated September 15, 2017. (Doc. 1; Doc. 1-1). On March 19, 2018, Defendants filed a notice of no contest and state they do not contest Plaintiff’s petition to confirm the arbitration award. (Doc. 5).

The FAA provides:

If the parties in their agreement have agreed that a judgment of the court shall be entered upon the award made pursuant to the arbitration . . . then at any time within one year after the award is made any party to the arbitration may apply to the court so specified for an order

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<sup>1</sup> The parties have consented to magistrate judge jurisdiction pursuant to 28 U.S.C. § 636(c). (Doc. 8).

confirming the award, and thereupon the court must grant such an order unless the award is vacated, modified, or corrected as prescribed in sections 10 and 11 of this title. If no court is specified in the agreement of the parties, then such application may be made to the United States court in and for the district within which such award was made. Notice of the application shall be served upon the adverse party, and thereupon the court shall have jurisdiction of such party as though he had appeared generally in the proceeding. . . .

9 U.S.C. § 9. Under the FAA, a court hearing a petition to confirm an arbitration award “has no discretion and must confirm an arbitration award unless the opposing party presents grounds for vacating, modifying, or correcting it.” 31 MOORE’S FEDERAL PRACTICE 3d § 908.03[1] (citing *Hall Street Assocs., LLC. v. Mattel, Inc.*, 552 U.S. 576, 587 (2008)).

Therefore, given Defendants’ notice of no contest, the arbitration award is due to be confirmed. Additionally, independent review of the arbitration award reveals no reason why it should be disturbed under sections 10 or 11 of the FAA. For the foregoing reasons, the petition is due to be granted, and the arbitration award is due to be confirmed. A separate order will be entered.

**DONE** this 29th day of March, 2018.

  
STACI G. CORNELIUS  
U.S. MAGISTRATE JUDGE